

New Mexico State Courts



Annual Report 2001

Annual Message

It is impossible to reflect on these first 12 months of my term as Chief Justice without images and memories of the devastating events of September 11 dominating my thoughts. September 11 has wounded, darkened, and distressed our national consciousness, but our American spirit remains strong, vibrant, and undefeatable. We will not only persevere, but we will continue to explore and expand the creative genius that is America and to celebrate and honor the diversity that is the essence of our democracy. As we proceed, we must remain mindful that our freedom, our liberty, and our commitment to equal justice for all are conceived in the rule of law. The judiciary must remain vigilant in preserving the rights and privileges that inspire our way of life.

In the wake of September 11, as this report reflects, the dedicated men and women who comprise the New Mexico judiciary continue to move forward and strive to provide and improve access to equal justice for all New Mexicans. While the following report details the courts' accomplishments and activities, I mention only a few highlights. As the numbers of self-represented litigants proliferate, the judiciary at all levels continues to respond with special forms and innovative programs to assist the self represented in their use of the courts. Through an unprecedented cooperative effort, the Administrative Office of the Courts, the District Attorneys and Public Defenders, and judges and jail administrators worked together to establish video arraignment standards for use in the courts and jails where video conferencing equipment has been installed. The benefit of this project is twofold, with the installation of this equipment paving the way for exciting future opportunities in distance training and educational programs throughout the judiciary. Our 22 drug courts for adults and juveniles continue to address the multidimensional problem of drug and substance abuse with promising results and impressive success rates.

The use of technology is central to efficient case management and general business functions in the courts. Technological applications abound for use by both the bench and the bar. New Mexico's statewide judicial automation program began in earnest in 1994. The total cost of the program from Fiscal Year 1994 through Fiscal Year 2000 has been \$39.7 million. The legislature has funded \$10.6 million in general fund monies. The remaining \$29.1 million has been generated from fines and fees collected by the courts and a small amount of other state funds. Today, the automation program includes a dedicated judicial telecommunications network that connects 90 court locations statewide, in addition to the Supreme Court and Court of Appeals. Over 1,400 internal court users and several hundred attorneys depend on automation to perform their daily work. The Central Repository, located in Santa Fe, stores over 5 million trial court records. Through participation in the Criminal Justice Information Management Team, the judiciary is working diligently in the sharing of criminal justice information among courts, prosecution and defense, corrections, law enforcement, and the Children, Youth & Families Department. Opportunities for the integration of technology in court functions and cooperative efforts among public agencies are vast. However, current revenues and minimal general fund appropriations limit proper investment in training, maintaining a growing infrastructure, and replacement strategies for outdated hardware. A renewed legislative commitment to the court's technology programs will well serve the people of our state.

As I began my term as Chief Justice, I implemented as a strategic objective a continuing focus on innovative approaches addressing the sensitive issues of children and families in the judicial system. Over the past several years, with the strong support of the judiciary, the legislature has enacted new laws to move child abuse and neglect cases to quick resolution. Court Appointed Special Advocate programs are in place in most New Mexico counties. We continue to provide and improve drug court programs for juveniles and to encourage alternative dispute resolution in abuse and neglect cases for less adversarial outcomes. I am sure there is more we can do in this important area to reduce the stress and conflict modern life brings to our families. I recently had the opportunity to spend some time with a class of fifth graders at a Santa Fe elementary school. We discussed the judicial process, and I was impressed with their understanding and youthful insights. In those children's eyes I saw the light of curiosity, creativity, and hope. In their presence I was humbled in contemplation of our responsibility to provide and preserve a free and just society in which our children may continue to grow and thrive.



Chief Justice Serna visiting a Santa Fe school.

In recognition of the needs and vital functions of the judiciary, the legislature created the Judicial System Study Committee in 2001. The judiciary welcomed the creation of this committee and the opportunity for review and reform of the structure of the judiciary. Chaired by Senator Manny Aragon, with Representative Max Coll sitting as vice-chair, the committee met five times over the last several months, investing significant time and energy in familiarizing itself with the workings

Focusing on Meeting the Needs of Court Users

The **Supreme Court** Building was listed on the Santa Fe Foundation Register of Historic Places and was approved by the New Mexico Office of Cultural Affairs as a recognized State Historic Building. The **Supreme Court** approved standardized forms to be used for domestic relations cases in an attempt to make the process more uniform for court users. The **Court of Appeals Mediation Program** processed 135 cases during FY 01, and settlements were achieved in 30 percent of those cases. Prior to commencement of the mediation program, an average of only 6.8 percent of eligible cases a year settled after assignment to a non-summary calendar.

The **Court Improvement Project**, supported by federal and state funding, is an effort to improve court proceedings in child abuse/neglect cases to ensure that children who have been removed from their homes are either reunited with their parents or placed in adoptive homes as quickly as possible. Five handbooks have recently been produced on various topics that arise in these cases — from a child's, parent's, teacher's, community's, or a clinical perspective. The **Tribal-State Judicial Consortium** has produced its second annual Cross-Court Cultural Exchange which included the Isleta, Laguna, and Acoma Pueblos and the **Second** Judicial District Court.

The **AOC Magistrate Court Division's Court Security Project** successfully installed video conferencing equipment in 14 magistrate courts and 11 jails for the purpose of arraigning criminal defendants while in jail. In cooperation with the AOC, the New Mexico District Attorney's Office, the Public Defender's Office, judges, and jail administrators developed court and jail video arraignment standards.

In 2001, the **State Court Interpreter Certification Program** certified nine new Spanish language interpreters. There are now more than 110 State Certified Interpreters in eight spoken languages. A Directory of all Certified Court Interpreters can be found on the judiciary website.

The **Collecting and Using Racial and Ethnic Data in the Courts** project was funded by a federal grant to better understand the backgrounds of people who file and defend cases in the New Mexico courts. Professor Jon Gould of George Mason University in Virginia developed a questionnaire that was tested among litigants in civil cases in the **First**, **Second**, and **Third** Judicial Districts. The questionnaire was designed to provide a composite picture of litigants in the New Mexico's court system.

A total of 22 **Drug Courts** operate in New Mexico with 6 adult felony drug courts, 10 juvenile drug courts, and 6 DWI drug courts. Over 3,000 offenders have participated in drug courts since their inception in 1994. In FY 01, adult drug courts determined that 80 percent of the participants either graduated or were actively participating in the program. In the same context, juvenile drug courts

reflected a 73 percent success rate of graduates and active participants, while DWI drug courts in McKinley County and Bernalillo County reported a 79 percent success rate.

The **Judicial Performance Evaluation Commission** continues its work in evaluating the performance of appellate, district, and metropolitan court judges standing for retention in November 2002. The final recommendations for judges standing for retention will be released to the media and public at least 45 days before the 2002 general election.

The State Justice Institute (SJI) awarded the AOC a grant to create officially approved **Pro Se Forms**. The project completed 10 different packets of instructions and forms intended to help the court assist self-represented litigants in probate court and uncontested divorce cases. The forms, which have undergone extensive review and pilot testing in the courts, are available on the judiciary website.

SJI awarded a 15-month grant to the AOC to lead a pilot project on **Telephonic Court Interpreting** to fill the need for certified court interpreters in isolated and rural courts. Participating courts are the **Fifth** District Court in Lovington, New Mexico, and courts in Arizona, Colorado, and Utah. Interpreting is being provided by specially trained certified interpreters from the **Second** and **Third** District Courts in New Mexico.

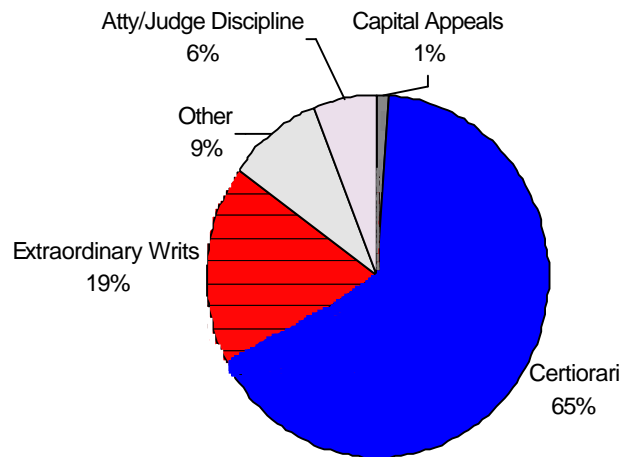
Court accomplishments, by district, include:

- **First District:** Provided forms on its website that court users can complete on-line and print or download; provided public access computers in the courthouse; provided customized reports available for public purchase, which saves court users time sifting through paper case files and staff time retrieving and re-filing the files; posted judges' docket schedules on its website; secured legislatively approved position to assist the court's customers who do not have a lawyer.
- **Second:** Pro Se Division continued to expand services to self-represented litigants; court staff assisted in development of new standardized domestic violence forms; clerks increased the number of photocopies provided to the public by five percent to almost three million copies.
- **Third:** Promoted employee training on customer service and judicial education; obtained feedback from the public through customer survey cards; offered a Pro Se Center where volunteer attorneys provide assistance to self-represented litigants in domestic relations matters; participated as a pilot project for telephonic interpretation; maintained and updated a webpage.
- **Fourth:** Implemented Pro Se Clinic for domestic matters where volunteer attorneys meet with the public twice monthly to enhance understanding of the judicial process.

Appellate Court Filings

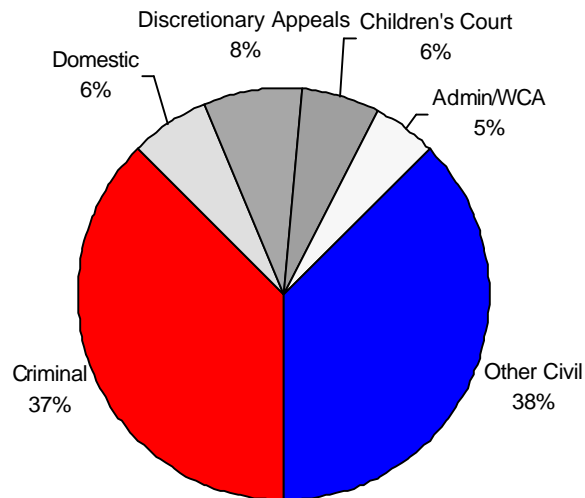
Supreme Court Filings - FY 2001

Please note that filings do not represent the entire workload of the Supreme Court



Other includes PRC appeals, election challenges, MCLE & bar dues citations for non-compliance, and certification

Court of Appeals Filings - FY 2001



- **Fifth:** Established Customer Service Divisions in all courts; provided Legal Assistants in each court to assist pro se litigants, attorneys, and the public.
- **Sixth:** Provided staff attorneys to assist with pro se matters and legal research; provided various sets of forms to the public.
- **Seventh:** Contracted with local attorneys as Domestic Violence Special Commissioners; provided customer service by clerks who speak fluent Spanish.
- **Eighth:** Operated a pro se forms bank which provides forms, instructions, and assistance with domestic relations cases, tax protests, name changes, civil restraining orders, and driver's license restoration proceedings; implemented Adult Drug Court Program which has served 42 participants since October 1999, and graduated 18; in collaboration with Taos County Bar

Association, opened law library to all Taos County attorneys and general public.

- **Ninth:** Roosevelt County remodeled the court's jury room, restrooms, and courtroom to provide more modern and comfortable facilities for jurors, litigants, and staff.
- **Eleventh:** Graduated 12 individuals from Adult Drug Court, which is currently at capacity with 60 clients.
- **Twelfth:** Expanded successful juvenile drug court program to include second judge; offered dissolution of marriage packets for pro se litigants; provided juror message and monthly juror calendars on court website.
- **Bernalillo County Metropolitan Court (Metro):** Information Systems Division developed new computer information systems and software programs to improve delivery of services.

Enhancing Court Services to Children and Families



Chief Justice Serna addressing elementary students

The AOC has worked with the New Mexico Children Youth & Families Department (CYFD) to pilot two projects designed to enhance court services to children and families. The **Second, Fifth, Sixth, and Thirteenth** Districts are currently piloting the use of court-connected **Mediation in Abuse and Neglect** cases. Cases are mediated prior to three key hearings. A mediator meets with the parents, their attorneys, the guardian ad litem, the CYFD attorney, the social worker and other interested parties to assist in achieving agreements regarding placement, visitation, treatment, and permanency. Over 100 cases have been mediated statewide. Preliminary independent evaluation results indicate that the program conserves both judicial and CYFD resources by reducing the amount of time parties spend in post-mediation court hearings, improves the quality of the treatment plans, and results in increased compliance with treatment plans.

The AOC worked with CYFD to pilot the use of **Family Group Decision Making (FGDM)**, which is a cultur-

ally sensitive approach to working with families involved in child abuse or neglect cases. Seven Protective Services Division (PSD) County Offices (Bernalillo East, Bernalillo West, Grant, Lea, Rio Arriba, San Miguel, and Santa Fe) participated in the pilot project. Fourteen independent part-time facilitators were trained to work closely with identified families in each of the pilot sites. Feedback from families, PSD staff, providers, and facilitators was extremely positive. Initial outcome analysis shows that for pre-custody cases, two-thirds successfully avoided custody at the two-month follow-up, yielding cost savings of about \$10,000. For custody cases, over two-thirds of respondents were treatment plan compliant and moving toward permanency.

The **First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Eleventh, Twelfth, and Thirteenth** Districts support **Court Appointed Special Advocate (CASA)** programs, which advocate the best interests of children who come before the court as a result of abuse and neglect.

Court accomplishments include:

- **First:** Secured a legislatively approved position to mediate child abuse and neglect cases; maintained a juvenile drug court program which offers juveniles at risk the opportunity for drug treatment.
- **Second:** The district's Court Clinic helped divorcing families negotiate a settlement that is in the best interests of the children and assigned clinicians to provide immediate help to judges handling cases that involve children; Children's Court Division developed a Reading Lab for court clients to improve their reading skills.

- **Third:** Offered mediation program involving contested custody or visitation wherein participation by litigants is mandatory; implemented supervised visitation program; hired program director for domestic violence/mediation program; added GAL and Respondent attorney; participated in the Parent Education Program.
- **Sixth:** Received \$26,550 in FY 02 to provide a visitation and access program in Grant and Luna Counties; Juvenile Drug Court provided various stages of counseling and treatment to clients and families.
- **Ninth:** Relocated the Domestic Violence Hearing Officer Department in the Curry County Courthouse to a more secure, private location for domestic violence victims and court staff.

- **Twelfth:** Provided education program for divorcing parents with children.
- **Thirteenth:** Sandoval County Grade Court juveniles who graduated from this court during 2001 improved their grade point average from 0.86 to 2.46, an increase of 186 percent. The recidivism rate of juvenile participants in Grade Court was reduced from 27 percent in 1999 to 19 percent in 2000. In 2001, Sandoval County Drug Court graduated twelve juveniles; four received their high school diplomas, and eight stayed in school to pursue their diplomas or a G.E.D. The retention rate for Drug Court juveniles at year end was 85 percent.

Improving Case Management to Reduce the Time Required to Dispose of Cases

The **Court of Appeals** has one of the most advanced and innovative case-management systems in the country. Through its calendaring system, the court averages less than six months from notice of appeal to decision on approximately 65 percent of its caseload.

SJI provided grant funding to the AOC for the **Case Management Project** to reduce case disposition time. Five judicial districts have participated in the project, which includes juvenile, criminal, and domestic relations cases. All participating courts have shown a significant decrease in the number of days from arraignment to disposition, ranging from 9.3 to 69 percent improvement.

Court projects include:

- **First:** Used case management reports to monitor and manage cases and provided judges with the tools to manage caseloads expeditiously.
- **Second:** Clinic staff met with judges monthly to focus on improving services and modifying procedures that reduce waiting time for clients; Criminal Division clerks collaborated with law enforcement agencies to expedite the flow of cases and streamline the paper flow process; Child Support Division worked with the Child Support Enforcement Department on a pilot project to conduct pre-trial hearings immediately after the case is opened; the court developed and implemented procedures for enforcing monetary limitations on bonding companies.
- **Third:** Developed differentiated case flow management system in Civil Division to guide and control progress of civil cases from filing the complaint to time of trial; improved case management in the Criminal Division through a state pilot program.

- **Sixth:** Hired a staff attorney to review active court cases and an attorney to help pro se clients, maximizing the time and efficiency of the judges.
- **Seventh:** Regularly reviewed and adjusted case assignment loads for each judge.
- **Eighth:** Implemented differentiated case management in criminal and juvenile cases, resolving cases more quickly and using resources more efficiently.
- **Ninth:** Maximized dockets by communicating with counsel up to a week prior to any settings scheduled for an hour or longer to verify the calendar setting and the case status; pre-trial orders were filed in criminal cases and counsel were ordered to advise the court on the progress of the cases at the pre-trial hearings.
- **Tenth:** District Judge implemented “time certain” settings in criminal, juvenile, and domestic violence cases and “block time” settings in domestic and civil cases; FACTS™ reports from the Court Clerk were used regularly to track all open cases and dispositions made according to local rules.
- **Twelfth:** Implemented differentiated case management process in Otero County following success of program in reducing time to disposition in criminal cases in Lincoln County.
- **Metro:** Judges and staff served on Court Traffic Committee to establish Traffic Arraignment Court to improve flow and disposition of traffic citations.

Providing Alternative Dispute Resolution Services Throughout the State

The **Court of Appeals** refers most civil cases that are not decided on its summary calendar to its appellate mediator for mandatory mediation. During FY 01, the court offered the mediation program to pro se litigants on a voluntary basis. The mediator continues to enjoy a high success rate and positive evaluation of the program by litigants.

The **First, Second, Third, Eighth, and Twelfth** Districts offer alternative dispute resolution through mediation, arbitration, and settlement facilitation programs where volunteer attorneys provide civil settlement facilitation.

Mediation Training has been provided for volunteers in the **Roswell, Santa Fe, Clovis, and Silver City** magistrate courts. Volunteers receive 32 hours of free training in exchange for providing 50 hours as mediators. Mediation takes place in civil cases in which the defendant has answered. Mediators encourage a resolution without forcing a resolution; statistics in Roswell show a 70 percent success rate in over 100 cases.

Court initiatives include:

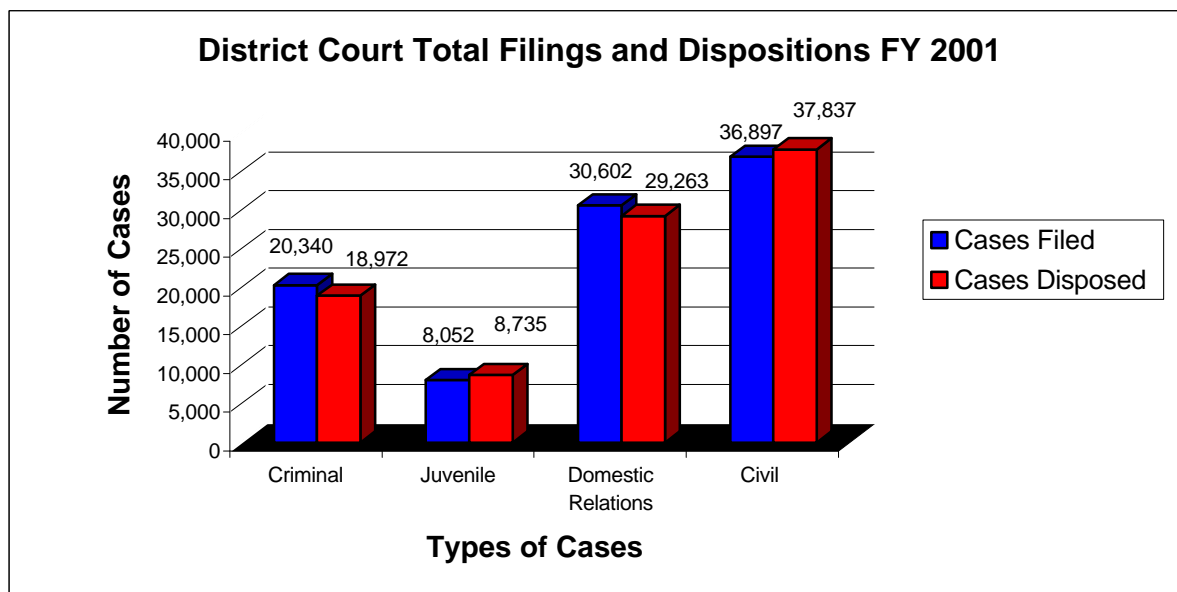
- **Sixth and Seventh:** Collected mediation fee on domestic relations cases for implementation of a mediation program.
- **Ninth:** Began a local program for district judges to sit as arbitrators in civil cases on track for trial; the judge, acting as arbitrator, mediates between the parties and seeks to arrive at a mutually agreeable settlement, which alleviates the need for a costly trial.

Enhancing Public Understanding of the Courts and Judges

The **Court of Appeals** solicits feedback on its opinions by sending survey forms to attorneys/litigants with each opinion. The return rate is 19 percent, and responses indicate general satisfaction with the court's work as a whole.

Court initiatives include:

- **First:** Continually updated the court's website with information about the court and its functions, providing useful tools for the public.
- **Second:** CASA conducted training sessions for new volunteers.
- **Third:** Judges and program directors were active in the community; provided internships for Dona Ana Branch Community college students; provided workshops for public with respect to water litigation suit, which will affect approximately 10,000 litigants.
- **Fifth:** Published an information booklet about the court; maintained website that provides information about court services.
- **Seventh:** Participated in Court Volunteer Program; Sierra and Torrance counties have senior citizen volunteers whose knowledge and life experiences have been an invaluable addition to the courts; supported Teen Court Programs by providing courtrooms and facilities.
- **Twelfth:** Judges were active in community service organizations and public speaking.



- **Thirteenth:** Sandoval County Court hosted a delegation of 13 representatives from the country of Colombia. A Spanish translator provided full and comprehensive dialogue between the court's judges and clerks and the delegation, which included the Colombian Supreme Court Justice. The visitors were impressed with New Mexico's statewide court automation, case management operations, and the wooden gavel used on the bench. Chief Judge Louis P. McDonald presented his gavel as a gift to the Colombian Chief Justice.

Making More Efficient Use of Existing Resources

The **AOC Magistrate Court Warrant Enforcement Program** increased the collection of fines and fees by \$92,000 in FY 01, bringing the program total to \$3,3037,999. The program's return on investment was 246 percent. The Tax Refund Intercept Program more than doubled its collection of fines and fees in FY 01 for a total of \$325,013.

The **Court Volunteer Project** published and distributed to all courts a court volunteer booklet with information on recruiting, managing, retaining, and recognizing court volunteers. The AOC and many of the courts use volunteers who help ease the workload and enable the courts to better serve the public.

Court improvements include:

- **Second:** Clerks returned \$17,390 in unclaimed property to individuals; clerks conducted an inventory of case files, providing information for determining future space needs and migration to an imaging medium for storing documents.
- **Third:** Used volunteers as well as interns from Dona Ana Branch Community College.
- **Sixth:** Reviewed contracts to ensure adequate provisions within scope of work and staff duties for fair distribution of work.
- **Seventh:** Implemented cross-training in all areas of court operations.
- **Ninth:** Expanded the current phone system in Curry County to include conference calling, enabling individuals to "appear" in court for hearings and trials without actually having to physically attend.
- **Tenth:** Used programs offered by different entities in the community, i.e., Quay and Harding County DWI Program, Mental Health Resources, and the local Domestic Violence Program; these programs provided screening, counseling, treatment, and victims advocacy for many court users.
- **Twelfth:** Used RSVP volunteers in the clerk's office and law library; updated microfilm procedures for more efficient records retention and research.

Making Maximum Use of Automation to Improve Court Services and Efficiency

The **Supreme Court** concluded all preparation on the automated docketing system for implementation on July 1, 2001, with the ultimate goal of building its database and including it on the statewide case lookup system for public access. The **Court of Appeals** went live on the appellate version of the statewide automated docket system, FACTS™, in February 2001. The court images closed files on CD-ROMs.

The **Judicial Information Division's** automation program includes a dedicated judicial-telecommunications network that connects 90 court locations statewide in addition to the Supreme Court and the Court of Appeals. Sixty-seven database servers are located throughout the state, and over 1,400 internal court users and several hundred attorneys depend on automation to perform their daily work. The New Mexico automation program houses over 1.6 million cases, and the Central Repository in Santa Fe, used for standard reporting and statistics, stores over 5 million records from the trial courts.

Metro Court in Albuquerque electronically transferred 96,000 DWI and Domestic Violence records to the Central Repository. Since September 1996, when the **Municipal Court Automation Project** began, 81 of the 83 municipal courts have received assistance to develop and implement automation plans, enabling the municipal courts to transfer electronically conviction information for DWI and Domestic Violence to the Central Repository. Public access to these records is made available on the judiciary's website, www.nmcourts.com.

After statewide **Case Management** implementation in all state courts in 1997, a second major upgrade of software and hardware was completed in October 2001. All trial courts statewide are now operating on the same version of software. The New Mexico Judiciary Case Lookup, available at one location, is a tool by which all levels of courts—district, magistrate, metro, and municipal—and the public can access information on a selected case. Restricted information or information deemed sensitive by law is not displayed. Information is current within 48 hours of its being entered into a database and then uploaded to the Central Repository.

The **Justice Information Sharing (JIS) Project** is a statewide, multi-branch, and multi-departmental effort to facilitate the sharing of key justice information under the direction of the Criminal Justice Information Management Team (CJIMT), with the AOC as lead agency. The driving principle of justice integration is to provide "the right data, to the right people, at the right time, in the right place."

Court activities include:

- **First:** Implemented a system for imaging closed files rather than microfilm storage, allowing the public, judges, and court employees to search for a closed file from remote locations in the courthouse; created an automated records database which allows the clerk's office to locate any file instantly and lets employees and judges request files from their desks; developed a tape log database which allows any court employee or judge to search for a tape log of any court hearing and actually view and/or print that log from any desktop computer; provided employee webpage for access to human resource documents, forms, procedures, statutes, and other information.
- **Second:** Human Resources Office and Information Systems Division continued work on an H.R. management application that enhances the state system; Jury Division and the Information Systems Division created and implemented new jury management application; district installed state-of-the-art internal computer network in new courthouse and an NCIC system for domestic violence matters and personnel background checks.
- **Third:** Provided public access terminals to public for case information; maintained webpage for public access and information.
- **Sixth:** Used e-mail as fast, efficient means of communication and exchange of documents; imaged administrative documents and correspondence; used automated processing for budget and financial documents.
- **Seventh:** Participated in JID's Tester Training for the GUI upgrade to FACTS™.
- **Tenth:** Used court automation as an invaluable tool for instant communication with remote facilities in Harding and DeBaca counties and in every facet of the court's activities, i.e., audit, case tracking, case management, financial reports, receipting, and disbursing.
- **Twelfth:** Distributed court calendars by e-mail to interested attorneys; posted calendars on court website.
- **Thirteenth:** Valencia County Court Clerk's Office helped an out-of-state court customer complete a court case which had been pending 13 years; the customer service was initiated and completed almost entirely using the e-mail service provided by court automation, proving that the court's access to e-mail technology can work to serve out-of-state customers.

Obtaining Adequate Resources for Court Operations

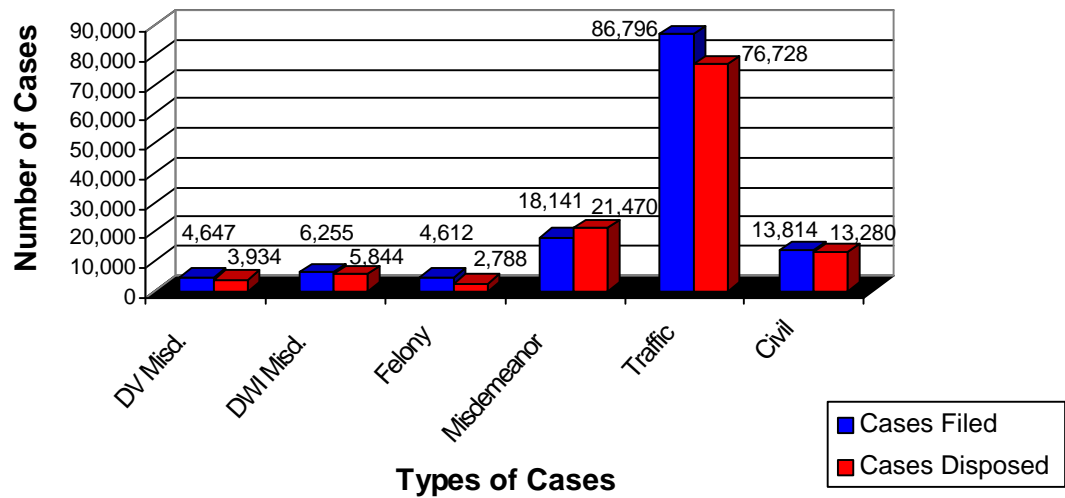
With the legislature's approval of the **Supreme Court's** request for an additional clerk, the clerk's office is now fully staffed to be able to adequately serve the court and the public.

With the completion of three new facilities in FY 01, 25 of the 54 magistrate courts now meet facilities standards adapted from the National Center for State Courts. In conjunction with the Court Security Project, several security enhancements have been added to the magistrate facilities, such as convex mirrors, glass at the counters, locks on courtroom doors, and cameras.

Court improvements include:

- **First:** Provided justification and proven track record to legislature for resources and funding for court operations, enabling the court to offer the public essential program services and speedy resolution of disputes.
- **Second:** Obtained several new positions in last legislative session: court interpreter, legal assistants, clerks, and hearing officer; used funding from legislature on new courthouse.
- **Third:** Chief Judge and Court Administrator participated on Budget Committee and Performance Measurement Committee.
- **Sixth:** Obtained federal grant money to implement a drug court program.
- **Seventh:** Completed renovations on Socorro County Courthouse; acquired additional space for Sierra County Courthouse.
- **Ninth:** Received legislative funding for a law clerk to establish clinics for and assist self-represented litigants in **Ninth** and **Tenth** Judicial Districts and funding for contract bailiff services to provide court users in Curry and Roosevelt counties a more secure environment, general assistance, and information.
- **Tenth:** Repainted all judicial offices using county workforce hours as well as work-release prisoners; installed new carpeting.
- **Twelfth:** Remodeled Lincoln County Courthouse to provide more secure and efficient working environment.
- **Metro:** Began construction on new courthouse and parking structure; Pretrial Services Division worked closely with Bernalillo County Detention Center staff to review arrestees who might qualify for release on their own recognizance or for a lower bond; this effort significantly increased available detention space.

Bernalillo County Metropolitan Court Total Filings and Dispositions FY 2001



Recruiting and Retaining High Quality Staff

Chief Justice Patricio M. Serna, who was successful in the November 2000 retention election by garnering 76 percent of the “yes” vote, presented Employee of the Year awards to Michael W. Vaughan, **Twelfth District Court** Clerk II and Site Coordinator, and Rosalie Saiz, **Silver City Magistrate Court** Chief Clerk. Collis Gates, **Carlsbad Municipal Court** Administrator, was named Court Clerk of the Year by the Municipal Clerks’ Association.

The AOC Judicial Information Division conducted a total of 16 training workshops at district and magistrate court conferences in 2001.

Court initiatives include:

- **First:** Successfully recruited two new highly experienced staff who have contributed to enhanced programs and improvements in court operations.
- **Second:** Human Resources Office dedicated a trainer for employee education.
- **Third:** Hired Human Resource Analyst; encouraged staff to attend training workshops and to make recommendations for process improvement within the court.
- **Fifth:** Encouraged staff to attend Institute for Court Management (ICM) workshops; two staff members are Fellows of ICM, and another individual has completed Phase I of the program.
- **Sixth:** Hired three new employees in FY 01.

- **Seventh:** Retained one-fourth of staff for over ten years and one-half for over five years; valued experience of Judge Edmund H. Kase III who has served over 30 years on the bench.
- **Twelfth:** Employed two staff members with 15 years and one with 10 years in the New Mexico Judiciary.

Enhancing the Skills of Judges and Court Staff

The Rozier E. Sanchez **Judicial Education Center** (JEC), part of the Institute of Public Law at the University of New Mexico School of Law, continued to provide educational services to the judiciary for the tenth year. During FY 01, JEC produced annual conferences and seminars for the judges of the appellate, district, magistrate, municipal, metro, and probate courts and training for domestic violence commissioners and for court mediators. For court personnel, the center provided annual conferences for court supervisors and for employees of the district, metro, magistrate, and municipal courts. JEC broadcast a teleconference on DWI cases to judges and staff at eight viewing sites in New Mexico and worked in collaboration with AOC to present a statewide seminar on working with self-represented litigants, as well as several regional seminars to train volunteer mediators. The center sent dozens of judges and court staff to seminars around the country and supported several out-of-state trips to allow judges to observe such innovations as homeless courts and courts using advanced computer technology.

JEC completed publication of several benchbooks for the judiciary, including a domestic violence benchbook, a child welfare handbook, and an updated and reformatted version of the benchbook for magistrate and metro court judges. These publications were added to the center's growing web site, along with numerous other educational resources. The award of several new grants allowed JEC to begin development of two web courses, one on domestic violence and one on alternative dispute resolution.

Court activities include:

- **First:** Provided supervisors with management development opportunities, employees with job-related training and 65 computer software training classes, and four classes to AOC employees.
- **Second:** Court Clinic organized training program for clinicians involving psychological testing and interpretation; continued training and assessment for the transition to the GUI version of FACTS; On-Records Appeal Division staff attended the statewide judicial conclave; court expanded budget process by gathering input from court staff.
- **Third:** Provided on-site training for judges and court staff, opportunities for long-distance learning, and funding for travel to out-of-state conferences.
- **Fourth:** Judges and staff kept informed through e-mail messages sent to the judiciary and attended workshops, conferences, and on-site training.
- **Sixth:** Judges attended seminars at the National Institute for Drug Court Professionals; court encouraged staff to attend training.
- **Seventh:** Judges attended Pro Se Litigant Seminar and National Judicial College; Judge Thomas G. Fitch represented the district on the American Bar Association Board; court encouraged staff attendance at conferences and training.
- **Ninth:** Judges attended and encouraged court staff to attend seminars; judges and court staff attended the Pro Se Litigation seminar and a seminar sponsored by the Department of Public Safety on a new domestic violence module developed for New Mexico's case management software and the domestic violence case tracking number program, which allows for all domestic violence cases to be cross-referenced throughout the United States.
- **Tenth:** Provided comprehensive computer training for court staff.
- **Twelfth:** Encouraged employees to use educational leave; one employee is working toward a B.A. degree and another received the Judicial Studies Certificate; afforded employees opportunity to participate in job-related training and attend national conferences.

Improving Teamwork Within and Among New Mexico Courts

The **Fourth** District Court continued a Joint Powers Agreement with the **First** District Court for its use of the First District's Family and Court Services Program. The **Fourth**, **Ninth**, and **Tenth** Districts continued joint powers agreements to accelerate domestic violence and child support cases by sharing the services of a Domestic Violence Commissioner and two Child Support Hearing Officers. The **Ninth** shared a new law clerk with the **Tenth**.

The **Third**, **Sixth**, and **Twelfth** Districts collaborated with the AOC on the Southwest Border Local Assistance Initiative to develop a standard methodology for processing of cases initiated by federal agents.

Court endeavors include:

- **First:** Held annual judicial long-range planning retreat and annual Employee Awards Meeting to recognize employees for valuable contributions.
- **Second:** Pro Se Division participated in the Pro Se Challenge Project, a statewide team that is addressing the needs of self-represented litigants; Child Support Division traveled to Valencia and Sandoval counties to assist with caseloads; court's Fiscal Services Division provided assistance to AOC's Fiscal Services Division; court provided room for the Center for Civic Values Mock Trial event.
- **Third:** Chief Judge and Court Administrator served on the Performance Measurement Committee; Court Administrator and judges served on several statewide committees.
- **Seventh:** Clerks held quarterly meetings to discuss concerns, ideas, and new procedures; district hosted the annual Bench/Bar Conference in Socorro.
- **Twelfth:** Participated in local Bench and Bar Conference; held first annual staff training retreat, which emphasized team building.

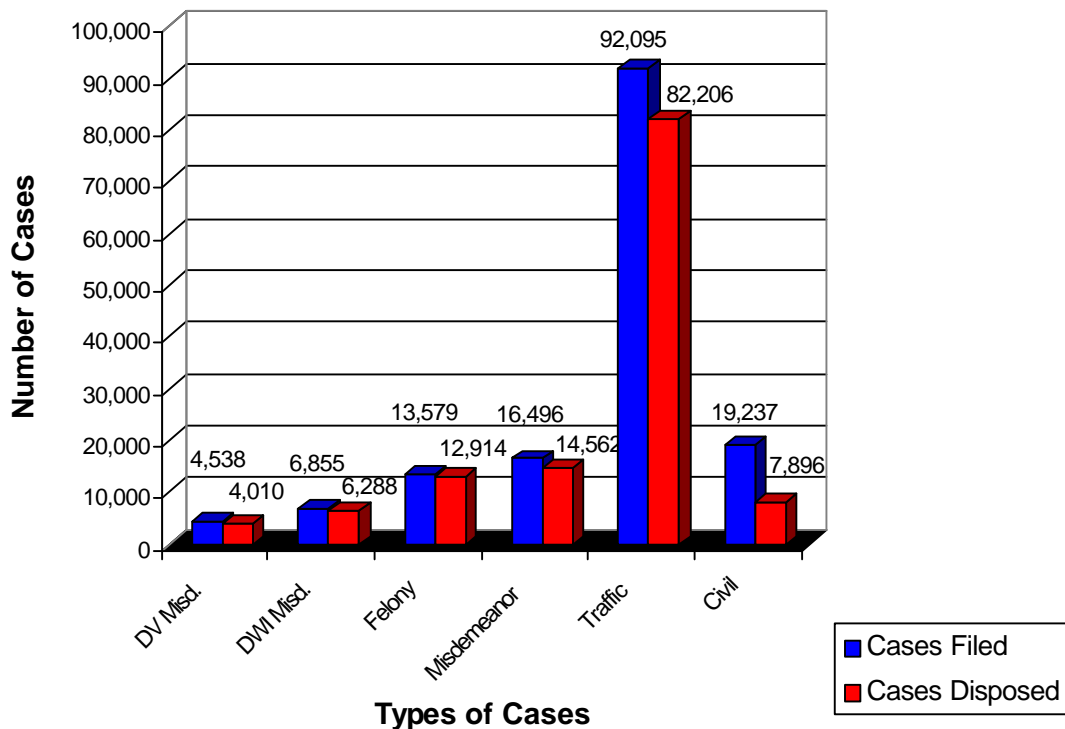
of the judiciary. I presented a comprehensive report on the state of the judiciary, and chief judges from across the state offered insights and information about their courts. The committee considered such issues as judgeship needs, the condition of judicial facilities, caseload statistics and methodology, drug court and other problem solving courts, pro se programs, court automation, and judicial retirement. As a result of these efforts, the committee will introduce several judicial legislative initiatives during this session. I look forward to working closely with the committee as this important dialogue continues.

As we strive to move forward, to engage in progressive initiatives, and to integrate the technology and vision of the twenty-first century into the administration and operation of the courts, our Administrative Office of the Courts must also focus on delivering basic court services and supporting core business functions throughout the judiciary. To accomplish these goals, the judiciary must have adequate funding and resources. I encourage the legislative and executive branches to consider carefully our unified budget requests and approve a level of funding adequate to support a dynamic and sound judiciary.

We look forward to working with the executive and legislative branches in cooperative efforts to ensure the delivery of legal services and the sharing and analysis of significant and essential data and information. We are also mindful of the reality that to function as a strong and viable partner, the independence of the judiciary is paramount and without compromise. In my State of the Judiciary address to the joint houses of the 2001 Legislature, I called upon each of us to proceed with dignity, to explore and embrace all that is possible, and in the end, to do the right thing for the people of New Mexico. I echo that sentiment today as we strive together to ensure effective, progressive, and accountable government for the people of New Mexico. As we begin this legislative session, and as we continue our work throughout the coming year, may we remain united in courage and faith, and act as true public servants with respect for the people it is our privilege to serve.

Patricio M. Serna
Chief Justice of the New Mexico Supreme Court

Magistrate Court Total Filings and Dispositions FY 2001



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